

DETAILED ACTION

1. This Action is to respond to Applicant's Amendment filed 3/6/2008 in which Applicant amended claims 1, 21 and 22 and added new claims 23-28. As per Applicant's Remarks/Arguments filed 3/6/2008, please see discussions in ***Response to Arguments*** below.

2. Please note claims 1-4 and 21-28 are examined, rejected and pending.

Response to Arguments

3. As to Applicant's Arguments, filed on 8/6/2007, has been fully considered, please see discussion below:

In the Amendment filed 3/6/2008, Applicant made the following arguments:

(A) "a collection processing unit":

The Office Action asserts that Yamauchi teaches "a collection processing unit...", and refers to Fig. 3 and paragraphs [0066], [0068] and [0071] of Yamauchi. However, there is no teaching or suggestion in Figure 3 or in paragraphs [0066], [0068] and [0071] of Yamauchi with respect to "a collection processing unit which collects content information items stored in different specific forms in storage devices connected to networks using different protocols." Please note that the "content information items" indicates "attributes of contents", as explicitly recited in independent claims 1, 21 and 22.

In the 'Response to Arguments' section, the Office Action asserts that "content types are part of content attributes." The word "type" can be found in paragraph [0066], lines 6 and 14; and in paragraph [0071], lines 4 and 9 of Yamauchi.

However, even if the "type" can be regarded as the part of the "attributes of contents," Yamauchi is silent with regard to the collection of "content information items indicating attributes of contents." Furthermore, Yamauchi is silent with regard to the collection of "the content information items stored in different specific forms in storage devices."

To cure the deficiency of Yamauchi, the Office Action relies on Weight for allegedly teaching "a collection processing unit... ", whereby the Office Action refers to Figure 5, Table 1.1, and paragraphs [0035] and [0042] of Weight.

However, Weight merely teaches that a content collector 202 accesses to the content providers each connected using the same protocol ("not" using different protocols) and acquires a content ("not" content information items indicating attributes of contents) from the content providers. Even if such content collector 202 of Weight is applied to the Yamauchi's system, it is not possible for such a combined system to collect content information items (indicating attributes of contents) stored in different specific forms in storage devices connected to networks using different protocols, as explicitly recited in independent claims 1, 21 and 22.

Regarding 'basing different protocol,' the Office Action asserts that Tayebi teaches storage devices connected together in accordance with known network protocols, whereby the Office Action refers to page 9, paragraph [0122] of Tayebi. However, Tayebi does not teach or suggest that content information items (indicating attributes of contents) is stored in different specific forms in storage

devices connected to networks using different protocols. Tayebi merely teaches that, concerning the functions of the IDC 11 (in Figure 2 of Tayebi), functionalities can be divided between a plurality of computing and storage devices or servers connected together in accordance with known network protocols.

Accordingly, the combination of Yamauchi, Weight and Tayebi does not teach or suggest the claimed collection processing unit.

(B) "a conversion processing unit":

information items indicating attributes of contents) into another format, for example, from the MEG 2 format into MPEG 4 format, or from a high-definition television (HDTV) format into the standard-definition television format. Even if the above-described "type" can be regarded as the part of the attributes of contents, the converting device 39A (in Figure 2 of Yamauchi) merely converts a content into another format, and consequently, the "type" may be merely converted into another type. It is to be noted that Yamauchi fails to teach or suggest converting each of content information items (indicating attributes of contents) collected by a collection processing unit into content information of a standardized form.

Accordingly, Yamauchi does not teach or suggest the claimed conversion processing unit.

(C) "an output unit":

The Office Action asserts that Yamauchi teaches "an output unit...", and refers to pages 6-7, paragraphs [0068] and [0089] of Yamauchi. However, Yamauchi merely teaches that monitor section 17 (in Figure 3 of Yamauchi) displays contents

("not" the content information of the standardized form converted by the conversion processing unit).

Accordingly, Yamauchi does not teach or suggest the claimed output unit.

Therefore, independent claims 1, 21 and 22 are patentable over the combined teachings of the cited art of record.

Concerning all the above arguments, Examiner respectfully submits that an additional section from Yamauchi has been cited to provide teaching for the subject matter Applicant amended to each of the independent claims. Applicant's other arguments filed **3/6/2008** have been fully considered but they are not persuasive and Examiner maintains the same grounds as set forth in previous action for rejecting every claim as detailed in the action and makes this action final.

Claim Rejections - 35 USC § 112

5.1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5.2. Claims 23-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As per claims 23, 25 and 27, the claim cited "...wherein the collection processing means periodically collects the content information items at predetermined times ..." which is not described in specification of instant application in the way as described above.

As per claims 24, 26 and 28, the claim cited "...a subset of the contents information items ..." which is not described in specification of instant application in the way as described above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6.1. Claims 1-4 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi et al. (U.S. Patent Application 2003/0154390, hereafter "Yamauchi") in view of Weight (U.S. Patent Application 2003/0023638) and further in view of Tayebi et al. (U.S. Patent Application 2003/0163724, hereafter "Tayebi").

As per claim 1, Yamauchi teaches “A content information management apparatus” (See Fig. 3 and Page 6, [0087] where a content distribution system is described).

Concerning “a collection processing unit which collects content information items stored in different specific forms in storage devices connected to networks using different protocols, the content information items indicating attributes of contents”, Yamauchi teaches a storing section stores content, content is converted and stored into another format, and a content recording management section identifies content types and transmits content to the network-connected terminal devices where the content should be stored (See Fig. 3, [0066], [0068] and [0071], and further at Yamauchi: [0120] where content file type indicates attributes of contents).

Noted is the content Yamauchi teaches has been already collected and stored.

However, Weight teaches “a collection processing unit which collects content information items stored in different specific forms in storage devices connected to networks using different protocols, the content information items indicating attributes of contents” (See Fig. 5, Table 1.1, [0035] and [0042] where a content collector of a content server is the collection processing unit collects content from content provider or web server, based on information provided by content provider indicating content stored at different locations and of different attributes, and further at Yamauchi: [0120] where content file type indicates attributes of contents).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Weight with Yamauchi reference by implementing content collection unit for collecting content from provider or

web server at multiple channels to Yamauchi's system because both references are directed to content storage and delivery services and the combined teaching of the two references would have enabled a content delivery system of multiple terminal devices to efficiently collect and distribute content to users.

The combined teaching of Weight and Yamauchi references does not explicitly teach that the storage devices connected to networks "using different protocols".

However, Tayebi teaches storage devices connected together in accordance with known network protocols (See Page 9, [0122]).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Tayebi with Weight and Yamauchi references by storing content on storage devices based on network protocols because both references are directed to content distribution where Yamauchi utilizes different networks for user, content distribution and content management wherein network types are different and device must store pre-determined content while Tayebi teaches devices connected to network in accordance with network protocols for effectively distribution of content on a secure, reliable and trustworthy network link, and the combined teaching of the references would have enabled Yamauchi's system to increase transmission capability on a more secure, reliable and trustworthy network link (See BACKGROUND OF THE INVENTION of the references).

The combined teaching of the Tayebi, Weight and Yamauchi references further teaches the following:

“a conversion processing unit which converts each of the content information items collected by the collection processing unit into content information of a standardized form” (See Yamauchi: Page 5, [0068] where content is converted from one format to another for storage); and

“an output unit which outputs the content information of the standardized form converted by the conversion processing unit” (See Yamauchi: Pages 6-7, [0068] and [0089] where MPEG 2 format is converted into MPEG4 format and both content formats are for displaying on television output device and the content receiving section receives contents and monitors content on monitor screen, an output unit).

As per claim 21, Yamauchi teaches “A content information management apparatus” (See Fig. 3 and Page 6, [0087] where a content distribution system is described).

Concerning “collection processing means for collecting content information items stored in different specific forms in storage devices connected to networks using different protocols, the content information items indicating attributes of contents”, Yamauchi teaches a storing section stores content, content is converted and stored into another format, and a content recording management section identifies content types and transmits content to the network-connected terminal devices where the content should be stored (See Fig. 3, [0066], [0068] and [0071], and further at Yamauchi: [0120] where content file type indicates attributes of contents).

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However, Weight teaches “collection processing means for collecting content information items stored in different specific forms in storage devices connected to networks using different protocols, the content information items indicating attributes of contents” (See Fig. 5, Table 1.1, [0035] and [0042] where a content collector of a content server is the collection processing unit collects content from content provider or web server, based on information provided by content provider indicating content stored at different locations and of different attributes, and further at Yamauchi: [0120] where content file type indicates attributes of contents).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Weight with Yamauchi reference by implementing content collection unit for collecting content from provider or web server at multiple channels to Yamauchi's system because both references are directed to content storage and delivery services and the combined teaching of the two references would have enabled a content delivery system of multiple terminal devices to efficiently collect and distribute content to users.

The combined teaching of Weight and Yamauchi references does not explicitly teach that the storage devices connected to networks “using different protocols”.

However, Tayebi teaches storage devices connected together in accordance with known network protocols (See Page 9, [0122]).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Tayebi with Weight and Yamauchi references by storing content on storage devices based on network protocols

because both references are directed to content distribution where Yamauchi utilizes different networks for user, content distribution and content management wherein network types are different and device must store pre-determined content while Tayebi teaches devices connected to network in accordance with network protocols for effectively distribution of content on a secure, reliable and trustworthy network link, and the combined teaching of the references would have enabled Yamauchi's system to increase transmission capability on a more secure, reliable and trustworthy network link (See BACKGROUND OF THE INVENTION of the references).

The combined teaching of the Tayebi, Weight and Yamauchi references further teaches the following:

“conversion processing means for converting each of the content information items collected by the collection processing means into content information of a standardized form” (See Yamauchi: Page 5, [0068] where content is converted from one format to another for storage); and

“means for outputting the content information of the standardized form converted by the conversion processing means” (See Yamauchi: Pages 5-7, [0068] and [0089] where content of MPEG 2 format is converted into MPEG4 format and both content formats are for displaying on television output device and the content receiving section receives contents and monitors content on monitor screen).

As per claim 22, Yamauchi teaches “A content information management apparatus” (See Fig. 3 and Page 6, [0087] where a content distribution system is described) comprising:

“a data processing unit operative under program control” (See [0066] where storing section reading out content is a processor function) for performing following steps.

Concerning “(1) collecting content information items stored in different specific forms in storage devices connected to networks using different protocols, the content information items indicating attributes of content”, Yamauchi teaches a storing section stores content, content is converted and stored into another format, and a content recording management section identifies content types and transmits content to the network-connected terminal devices where the content should be stored (See Fig. 3, [0066], [0068] and [0071], and further at Yamauchi: [0120] where content file type indicates attributes of contents).

Noted is the content Yamauchi teaches has been already collected and stored.

However, Weight teaches “(1) collecting content information items stored in different specific forms in storage devices connected to networks using different protocols, the content information items indicating attributes of content” (See Fig. 5, Table 1.1, [0035] and [0042] where a content collector of a content server is the collection processing unit collects content from content provider or web server, based on information provided by content provider indicating content stored at different locations and of different attributes, and further at Yamauchi: [0120] where content file type indicates attributes of contents).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Weight with Yamauchi reference by implementing content collection unit for collecting content from provider or web server at multiple channels to Yamauchi's system because both references are directed to content storage and delivery services and the combined teaching of the two references would have enabled a content delivery system of multiple terminal devices to efficiently collect and distribute content to users.

The combined teaching of Weight and Yamauchi references does not explicitly teach that the storage devices connected to networks "using different protocols".

However, Tayebi teaches storage devices connected together in accordance with known network protocols (See Page 9, [0122]).

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It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Tayebi with Weight and Yamauchi references by storing content on storage devices based on network protocols because both references are directed to content distribution where Yamauchi utilizes different networks for user, content distribution and content management wherein network types are different and device must store pre-determined content while Tayebi teaches devices connected to network in accordance with network protocols for effectively distribution of content on a secure, reliable and trustworthy network link, and the combined teaching of the references would have enabled Yamauchi's system to

increase transmission capability on a more secure, reliable and trustworthy network link (See BACKGROUND OF THE INVENTION of the references).

The combined teaching of the Tayebi, Weight and Yamauchi references further teaches the following:

“(2) converting each of the content information items collected by the collection processing unit into content information of a standardized form” (See Yamauchi: Page 5, [0068] where content is converted from one format to another for storage); and “outputting the converted content information of the standardized form” (See Yamauchi: Pages 5-7, [0068] and [0089] where content of MPEG 2 format is converted into MPEG4 format and both content formats are for displaying on television output device and the content receiving section receives contents and monitors content on monitor screen).

As per claim 2, the combined teaching of the Tayebi, Weight and Yamauchi references teaches “the conversion processing unit includes a plurality of conversion processors which are provided according to types of the networks to be connected” (See Yamauchi: Page 5, [0068] and Page 7, [0101] where computer system includes processing machines and processing systems, and content is converted from one format to another for storage, and Tayebi: Page 9, [0122] where storage devices connected together in accordance with known network protocols).

As per claim 3, the combined teaching of the Tayebi, Weight and Yamauchi references teaches “collection processing unit comprises a plurality of collection processors which collect said content information items from the storage devices connected to corresponding ones of the networks” (See Yamauchi: Page 5, [0068] and Page 7, [0101] where computer system includes processing machines and processing systems and at Fig. 3 and Pages 4-6 wherein [0066] shows content storing section stores content and wherein [0071] content recording management section identifies content types and transmits content to the network-connected terminal devices where the content should be stored).

As per claim 4, the combined teaching of the Tayebi, Weight and Yamauchi references teaches “an information creating unit which creates information by unifying content information items of each standardized form output from each of the plurality of collection processors” (See Yamauchi: Page 5, [0068] and Page 7, [0101] where computer system includes processing machines and processing systems and at Fig. 3 and Pages 4-6 where [0066] shows content storing section stores content and at Page 8, [0103] where content is bit-separated into sub-contents and stored to different terminal devices and recovered as original at a storage section).

As per claims 23, 25 and 27, the combined teaching of the Tayebi, Weight and Yamauchi references teaches “wherein the collection processing means periodically collects the content information items at predetermined times” (See Yamauchi: [0004]-

[0005] and [0028] where reproduction of received content is at pre-determined and different from receiving time and further at Tayebi: [0038] where a process is repeated).

As per claims 24, 26 and 28, the combined teaching of the Tayebi, Weight and Yamauchi references teaches the following:

“inquiry receiving means for receiving an inquiry for content information” (See Yamauchi: Abstract where content is requested and received); and

“displaying means for displaying a subset of the contents information items that meet requirements set forth in the inquiry received by the inquiry receiving means” (See Yamauchi: Abstract where content is requested and received, and at [0019] where sub-content is stored for distribution).

References

7. The prior art made of record

A. U.S. Patent Application 2003/0154390

B. U.S. Patent Application 2003/0163724

G. U.S. Patent Application 2003/0023638

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

C. U.S. Patent Application 2002/0083201

D. U.S. Patent No. 7,047,285

E. U.S. Patent Application 2003/0097399

F. U.S. Patent No. 6,182,084

Conclusion

8. Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUEN S. LU whose telephone number is (571)272-4114. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 517-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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June 14, 2008

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